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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 11 2002

Application of: WEBSTER et al.

Confirmation No.: 5537

Application No.: 09/723,326

TECH CENTER 1600/2900

Filed: November 28, 2000

Group Art Unit: 1632

For: MOLECULAR SWITCH FOR  
REGULATING MAMMALIAN  
GENE EXPRESSION

Examiner: Paras Jr., P.

Attorney Docket No.: 10989-004-999

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed August 5, 2002, in connection with the above-identified patent application, please consider the following remarks.

REMARKS

Claims 1-41 are pending in the instant application. The Examiner has required restriction of the pending claims under 35 U.S.C. § 121 to one of the following five groups:

- I. Claims 1-27 and 30, drawn to an expression vector and a process of making the same vector, classified in class 435, subclass 320.1;
- II. Claims 28-29, drawn to a genetically engineered cell in vitro, classified in class 435, subclass 325;
- III. Claims 28-29, drawn to a genetically engineered non-human organism, classified in class 800, subclass 13;
- IV. Claim 31, drawn to a process of using an expression vector, classified in classes 435 and 435, subclasses 455 and 70.1; and
- V. Claims 32-41, drawn to an isolated polynucleotide, classified in classes 536 and 536, subclasses 23.1 and 24.1.